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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,635	02/15/2002	Masayuki Inai	KOT-0039	5481
23413 7590 01/02/2009 CANTOR COLBURN, LLP 20 Church Street 22nd Floor Hartford, CT 06103				
EXAMINER SHEER, CRISTINA O				
ART UNIT 3685		PAPER NUMBER		
NOTIFICATION DATE 01/02/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptopatentmail@cantorcolburn.com

### Office Action Summary

**Application No.**

10/077,635

**Applicant(s)**

INAI ET AL.

**Examiner**

CRISTINA OWEN SHERR

**Art Unit**

3685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-4, 6-8, 11-20, 27-29, 34-37, 39 and 40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-4, 6-8, 11-20, 27-29, 34-37, and 39-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is in response to Applicant's Amendment filed August 13, 2008. Claims 2-4, 6-8, 11-20, 27-29, 34-37, and 39-40 are currently pending in this case.

#### ***Response to Arguments***

2. Applicant's arguments with respect to claims 2-4, 6-8, 11-20, 27-29, 34-37, and 39-40 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-4, 6-8, 11-20, 27-29, 34-37, and 39-40 rejected under 35 U.S.C. 103(a) as being unpatentable over Freedman (US 4,839,829) in view of Stefik et al (US 6,233,684).

5. Regarding claim 34 –

6. Freedman discloses a printing system with a server and printer clients connected to the server through a network, the printer clients requesting the server to send data (e.g. abs, col 4 ln 36-42), the printing system comprising:

a sending section to send the specified data to the printer client; and (e.g. col 5 ln 25-50)

the printer client comprising: a receiving section to receive the specified data sent from the server; (fig 1A-B)

an output section to print out the received data, (e.g. fig 1A-B).

7. Stefik discloses, where Freedman does not, the server comprising: an acquiring section to acquire information regarding a copyright protection level of a printer client which requests the server to send data (e.g. col 9 In 10-65, not that Stefik does not specifically disclose copyright protection. However, Stefik does specify rights levels, which are rules as to whether a printer/repository may or may not obtain and print a certain digital object. Whether or not those rules are specifically copyright rules is beside the point as that would be nonfunctional data). The same is true of the specifying section to specify data to be sent corresponding to the copyright protection level of the printer client, the data being classified in different copyright protection levels according to a content of the data; (col 9 In 10-65 where the sending repository must decide whether or not to send), as well as a comparison table for recording a copyright protection level of the data and a copyright protection level of the printer client in relation to each other, wherein the specifying section specifies the data to be sent with reference to the comparison table. (e.g. once again, although specifically copyright information is not disclosed in Stefik, Stefik does disclose, at e.g. col 5 In 10-20 wherein watermark information is specified within a rendering or play right. This is the equivalent of a table showing copyright protection level, since each watermark must be matched up with certain rights).

8. It would have been obvious to one of ordinary skill in the art to combine the teaching of Freedman and Stefik in order to provide for providing book data to a user to select from in order to print.
9. Regarding claim 2 –
10. Stefik discloses wherein the printer client further comprises a protection section for protecting the specified data against access from outside into a data transmission path to conduct image output, the received data, wherein the copyright protection level of the printer client is set in different levels according to the protection section. (e.g. col 17 ln 5-col 18 ln 5).
11. Regarding claim 3-
12. Stefik discloses an encrypting section for encrypting the specified data; and (e.g. fig 15, 1505)
13. the printer client further comprises:
14. a decrypting section for decrypting the encrypted data; and (e.g. fig 15, 1513)
15. an output section to print out in accordance with the encrypted data; wherein the protection section protects the encrypted data, against outside access, in the data transmission path from the decrypting section to the output section. (e.g. fig 15, 1515, col 17 ln 5-col 18 ln 5).
16. Regarding claim 4 –
17. Note that both Stefik and Freedman provide for a printer. An image forming section is merely a printer.
18. Regarding claim 6 –

19. Neither Stefik nor Freedman provide wherein the protection section comprises a physical cover member, which is provided in the printer client to cover the data transmission path for outputting the received specified data, however, official notice is taken that such covers are old and well-known.

20. Regarding claim 7 –

21. Stefik discloses wherein the protection section comprises filter program software, which restricts, in the printer client, a destination section where the received specified data is transmitted. (e.g. col 17 ln 5-col 18 ln 5).

22. Regarding Claim 8 –

23. See claims 6 and 7, above.

24. Regarding claim 11 –

25. Although specifically copyright information is not disclosed in Stefik, Stefik does disclose, at e.g. col 5 ln 10-20 wherein watermark information is specified within a rendering or play right. This is the equivalent of a table showing copyright protection level, since each watermark must be matched up with certain rights).

26. Regarding claim 12 –

27. Stefik discloses wherein the server further comprises an encrypting section for encrypting the data, (e.g. fig 15, 1505; ). Freedman, discloses wherein the printer client comprises a downloading section to download the encrypted data. (fig 1A-B)

28. Regarding claim 13 –

29. Stefik discloses wherein the printer client comprises a decrypting section for decrypting the encrypted data, downloaded from the server system. (e.g. fig 15, 1513).

30. Regarding claim 14 –

31. Stefik discloses wherein the server executes a digital signature with an encryption key, uniquely assigned to the printer client, when the printer client performs an access to the server. (e.g. col 15 ln 15-25).

32. Regarding claim 15 –

33. Stefik discloses wherein the server executes a digital signature with an encryption key of an open key encryption method when the printer client performs an access to the server. (e.g. col 15 ln 15-25).

34. Regarding claim 16 –

35. Stefik discloses wherein the printer client executes a digital signature with an encryption key, uniquely assigned to the printer client, when said printer client performs an access to the server. (e.g. col 15 ln 15-25).

36. Regarding claim 17 –

37. Freedman discloses wherein the server comprises a memory section for storing a plurality of preformed data and specifies the data by selecting the data from the plurality of preformed data. (e.g. fig 1A, 30).

38. Regarding claims 18, 19 –

39. Stefik discloses at e.g. col 5 ln 10-20 wherein watermark information is specified within a rendering or play right. This is the equivalent of a table showing copyright protection level, since each watermark must be matched up with certain rights

40. Stefik discloses wherein the printer client comprises a search requesting section for sending a search request to the server and the server performs search for the data in response to the search request by the search requesting section. (e.g. col 6 In 28-65).

41. Regarding claim 35 –

42. Stefik discloses at e.g. col 5 In 10-20 wherein watermark information is specified within a rendering or play right. This is the equivalent of a table showing copyright protection level, since each watermark must be matched up with certain rights

43. Stefik discloses wherein the data is an abstract data. (col 5 In 30-45).

44. Regarding claim 37 –

45. Stefik discloses wherein the server further comprising: a certifying section to certify a login request from a printer client. (e.g. fig 5).

46. Regarding claim 39, 27-29, and 40 –

47. Claims 39, 27-29, and 40 are rejected under the same criteria as above.

48. Examiner's note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the examiner.

### ***Conclusion***



49. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CRISTINA OWEN SHERR whose telephone number is (571)272-6711. The examiner can normally be reached on 8:30-5:00 Monday through Friday.

50. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin L. Hewitt, II can be reached on (571)272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

51. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CRISTINA OWEN SHERR  
Examiner  
Art Unit 3685

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Examiner, Art Unit 3685